



ENVIRONMENTAL INFORMATION FOR WISCONSIN SMALL BUSINESSES

ADVISOR

Spring 2005

New Registration Permit Available Soon

Registration operation permits (ROP) are a new type of standardized permit that will be available from Wisconsin Department of Natural Resources (DNR). Most facilities with emissions below 25% of the major source thresholds will be eligible. Detailed eligibility criteria will be available online from DNR in mid-June. For more information, watch this web page:

<http://dnr.wi.gov/org/aw/air/apii/regpermits.html>

DNR will hold public hearings and take comments on the proposed ROP permit template in June. After making any changes based on the comments, the ROPs should be available for use in September.

What Conditions Are In the ROP?

A ROP will contain:

✓ a cap on facility emissions at 25% of

major source thresholds

- ✓ requirements for keeping records that will show the facility meets the emission caps
- ✓ requirements to operate, maintain and monitor pollution control equipment if they have any, and
- ✓ annual reporting requirements that include a compliance certification and air emission inventory (AEI) reporting.

What Are the Benefits of a ROP?

Having a ROP rather than a traditional operation permit will give a facility the flexibility to make additions, modifications and replacements without obtaining construction permits. It doesn't matter how many changes you make, provided you can continue to meet all the eligibility criteria for the ROP.

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Air Quality Health Advisories Available by E-mail

Wisconsin DNR is now sending out email notices of air quality health advisories. If you would like to receive an email notice whenever an air quality health advisory is called, sign up with DNR. DNR will send out email notices only when their monitoring equipment

<http://dnr.wi.gov/org/aw/air/HEALTH/listserv.html>

detects unhealthy pollution levels in one or more regions of Wisconsin.

To sign up, go to the following web page and follow the instructions under the "How to Subscribe" section. ♦

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Registration Permits

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The proposed annual fee for a ROP will be lower than traditional permits. It also has more flexibility for some recordkeeping requirements, where a facility would have to keep certain records less frequently than under the traditional permit.

Another benefit is that the ROP does not expire, resulting in less administrative work. The simple web-based ROP application process will reduce administrative as well as turn-around time. In most cases, DNR will make decision to grant or deny within 15 days.

What Are the Drawbacks to ROPs?

ROPs do not spell out all the requirements that can apply to a facility. It is the responsibility of the facility to identify what rules might apply. To offset this problem, DNR is working with the Small Business Clean Air Assistance Program (SBCAAP) to develop a compliance assistance program designed to help facilities identify and meet their applicable requirements. This program will include web-based tools, guidance documents, inspection reports and annual workshops.

What Should I Do If I'm Interested in a ROP?

If you have any air permits from the DNR, they may need to be revoked before you can receive the ROP. There will be a process to request that DNR review those existing permits to determine if they can be revoked.

If the DNR determines that your permits can be revoked, beginning in September you will be able to apply for a ROP. DNR will contact facilities closer to September to

notify them of the ROP application procedures. Applying for coverage under a ROP will be a user-friendly web-based process.

DNR plans to conduct training sessions in August or September to help you through the process. Watch your mail for a post-card from the SBCAAP regarding details on ROP training sessions. Or you can check our Events page later this summer:

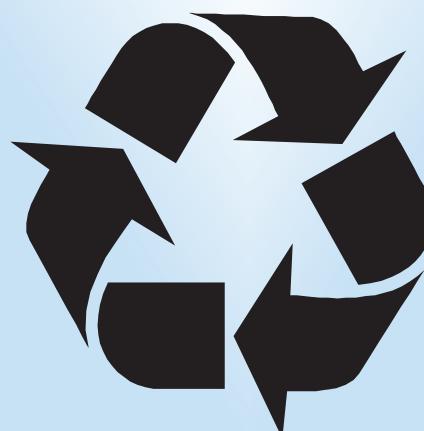
<http://commerce.wi.gov/BD/BD-CA-events.html>



Wisconsin Recycling Markets Directory for 2005

The Wisconsin Recycling Markets Directory (WRMD) web site provides information on recycling markets in Wisconsin. Users can generate custom lists of markets for various materials, view up-to-date information on current recycling issues and locate additional resources for recycling markets.

<http://dnr.wi.gov/org/aw/wm/markets/>



Proposed Exemption for Small Sources

The U.S. Environmental Protection Agency (EPA) has issued a proposal to exempt area sources subject to National Emission Standards for Hazardous Air Pollutants (NESHAPs) from Title 5 permits. Area sources are industry categories comprised of businesses that, while individually are very small, generate large quantities of air pollution when combined on a national scale. A Title 5 permit is a complex document issued to a major source of pollution, spelling out all the air pollution rules and requirements that apply to that business. These are called Title 5 permits because that is the section in the Clean Air Act under which the program was created.

Originally, the Clean Air Act Amendments of 1990 required that area sources covered by a NESHAPs would also be required to obtain a Title 5 permit. Because area source categories are made up of so many small businesses, the EPA deferred that requirement for many years. The last extension of that temporary deferral expired on December 4, 2004. Without a permanent deferral of the requirement to obtain a Title 5 permit, these area sources would be required to submit a permit application by December 4, 2005.

What Does This Mean For My Business?
Area sources affected by this proposal include: dry cleaners, halogenated solvent cleaners, chrome electroplaters, ethylene oxide sterilizers, and secondary aluminum smelters. If this proposal becomes a final rule, these sources would no longer be required to obtain a Title 5 permit from DNR.

In Wisconsin, many of these sources have already submitted a Title 5 permit application and some have received Title 5 permits from DNR. If the rule becomes final as it is currently written, DNR would have to withdraw or revoke any Title 5 permits issued to these sources. Without a Title 5 permit, the sources may be required to apply for another type of operation permit.

While they may not need a Title V permit, each of these source categories still have to comply with the NESHAPs that apply to them. The NESHAPs are rules that address the emissions of hazardous air pollutants (HAPs) and include requirements that specify how the industry must reduce its emissions of HAPs.

How Do I Comply With NESHAPs?

Many state small business assistance programs (like SBCAAP) have developed technical assistance tools to help these area sources understand how to comply with the NESHAP.

Dry cleaners in Wisconsin are familiar with one of the more popular forms of technical assistance for a NESHAPs. The SBCAAP provides an annual calendar that has places to track material use and log inspections, etc. that are required by the rule. Using this tool helps the source know what they have to do more than a permit would. If you have questions about whether you are affected by this rule change, contact the SBCAAP. ♦

Area Source Categories Proposed to be Exempt from Title 5 Permits

- ✓ Dry cleaners
- ✓ Halogenated solvent cleaners
- ✓ Chrome electroplaters
- ✓ Ethylene oxide sterilizers
- ✓ Secondary aluminum smelters

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SBCAAP
201 W. Washington Ave,
P.O. Box 7970
Madison, WI 53707
Phone: 608/264-6153
Fax: 608/267-0436
Email: CleanAir@
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New Asbestos Fee and Notification Requirements

The Wisconsin Department of Natural Resources (DNR) asbestos program recently announced an increase to their current notification fees. The new fees will be effective on any Notification of Demolition and/or Renovation postmarked on or after July 1, 2005. The additional fees will be used to increase DNR's presence in the field, cover general costs, and work towards the creation of an electronic notification system.

The increase raises each of the current fees and adds an "extra large" project fee. The new fee schedule is as follows:

✓ Demolition with less than 160 square feet (s.f.), or 260 linear feet (l.f.) of Regulated Asbestos Containing Material (RACM) increases from \$50 to \$75.

- ✓ Demolition or Renovation with greater than 160 s.f., or 260 l.f., but less than 1000 feet of RACM combined increases from \$150 to \$225.
- ✓ Demolition or Renovation with equal to or greater than 1000 feet total but less than 5000 feet of RACM combined increases from \$335 to \$400.
- ✓ Demolition or Renovation with equal to or greater than 5000 feet of RACM total is \$750. This is the new "extra large" project fee.

If you have any questions relating to the fee increases, please contact Mark Davis at (608) 266-3658 or Nathan Luedke at (608) 264-8892. A revised Notification of Demolition and/or Renovation form (DNR form 4500-113) will be posted on-line beginning July 1, 2005. To obtain the form, go to:
<http://dnr.wi.gov/org/aw/air/reg/asbestos/> ♦